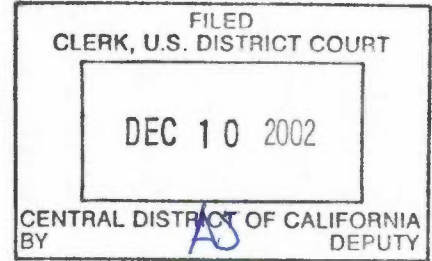


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UNITED STATES DISTRICT COURT
FOR THE CENTRAL DISTRICT OF CALIFORNIA

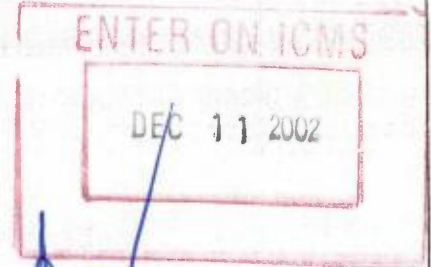
UNITED STATES OF AMERICA,

Case No. 02-938-64K

GOVERNMENT'S NOTICE OF REQUEST
FOR DETENTION

Plaintiff,

Barry Mills, v.
Tyler Bingham,
Defendant.



Plaintiff, United States of America, by and through its
counsel of record, hereby requests detention of defendant and gives
notice of the following material factors:

1. Temporary 10-day Detention Requested (§ 3142(d))
on the following grounds:

- a. offense committed while defendant was on release
pending (felony trial), (sentencing) (appeal) or
on (probation) (parole);
- b. alien not lawfully admitted for permanent

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residence;

___ c. flight risk;

___ d. danger to community.

✓
2. Pretrial Detention Requested (§ 3142(e)) because no condition or combination of conditions will reasonably assure against:

✓
a. danger to any other person or the community;

✓
b. flight.

___ 3. Detention Requested Pending Supervised

Release/Probation Revocation Hearing (Rules 32.1, 46, § 3143) because defendant cannot establish a condition or combination of conditions that will reasonably assure against:

___ a. Danger to any other person or the community;

___ b. Flight.

___ 4. Presumptions Applicable to Pretrial Detention (18 U.S.C. § 3142(e)):

___ a. Title 21 offense with 10-year or greater maximum penalty (presumption of danger to community and flight risk);

___ b. firearm used or carried during offense (18 U.S.C. § 924(c)) (presumption of danger to community and flight risk);

___ c. offense under Maritime Drug Law Enforcement Act (46 U.S.C. App. 1901 et seq.) (presumption of danger to community and flight risk);

___ d. defendant currently charged with (I) crime of

1 violence, (II) offense with maximum sentence of
2 life imprisonment or death, (III) Title 21 offense
3 with ten year or greater maximum sentence, or
4 (IV) state or local offense that would qualify
5 under I, II, or III if federal jurisdiction were
6 present, and defendant was previously convicted
7 of a crime listed in I, II, or III committed
8 while on release pending trial, and the current
9 offense was committed within five years of
10 conviction or release from prison on the above-
11 described previous conviction (presumption of
12 danger to community).

13 ☒ 5. Government is Entitled to Detention Hearing

14 Under § 3142(f) Based on the Following:

- 15 ☒ a. crime of violence (defined in 18 U.S.C. § 3156);
16 ☒ b. maximum sentence is life imprisonment or death;
17 ☐ c. Title 21 offense with maximum sentence of ten
18 years or more;
19 ☐ d. instant offense is felony and defendant has two
20 or more convictions for a crime set forth in a-c
21 above or for an offense under state or local law
22 that would qualify under a, b, or c if federal
23 jurisdiction were present;
24 ☒ e. serious risk of flight;
25 ☐ f. serious risk of (obstructing justice or
26 attempting to obstruct justice) (threatening,
27 injuring, or intimidating witness or juror, or
28

attempting to do so).

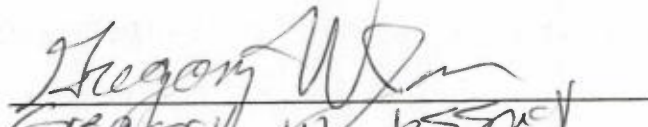
6. Government requests continuance of _____ days for detention hearing based upon the following reason: _____

7. Good cause for continuance in excess of three days exists in that: _____

DATED:

Respectfully submitted,

DEBRA W. YANG
United States Attorney


Gregory W. Issac
Assistant United States Attorney

Attorneys for Plaintiff
United States of America